

PROB 12C  
(7/93)

Report Date: April 14, 2006

## United States District Court

for the

Eastern District of Washington

## Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
APR 17 2006  
JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Name of Offender: Leticia N Lopez

Case Number: 2:04CR06023-001

Address of Offender: 1005 Perkins, Richland, WA 99352

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 6/1/2005

Original Offense: Bank Embezzlement, 18 U.S.C. § 656

Original Sentence: Prison - 30 Days; TSR - 36 Months  
Type of Supervision: Supervised Release

Asst. U.S. Attorney: Robert A. Ellis

Date Supervision Commenced: 8/13/2005

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 8/12/2008

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PETITIONING THE COURT

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To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 3/15/2006.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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5

**Mandatory Condition #2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Leticia Lopez is considered in violation of her period of supervised release in the Eastern District of Washington by committing the offense of residential burglary on or prior to April 6, 2006.

According to report provided by the Richland Police Department officers were dispatched to 1005 Perkins Road in Richland after a neighbor observed the defendant break into the residence. Officers surrounded the residence and detained a second individual waiting in a vehicle at the rear of the residence. Officers contacted the defendant when she was exiting the back door of the home. The defendant stated she was attempting to retrieve some of her personal items she had left prior to entering drug treatment. It was determined the defendant had forced open a window and jumped through. The defendant initially denied forcing her way into the home but later admitted to forcing the window open. Reports noted officers knew the residence had been secured prior to the defendant breaking in as they were the ones who secured it after serving a warrant at the home earlier.

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Officers contacted the renter, Rebecca Charron, at the Benton County Jail and asked if the defendant was welcome at the home. They were advised she was not and Ms. Charron asked to have the defendant charged.

The defendant was cited and released under case number 06-05695.

Respectfully submitted,

by

David L. McCary  
David L. McCary  
U.S. Probation Officer

Sworn to before me,

Michael W. Leavitt 4/14/06  
U. S. Magistrate Judge Michael W. Leavitt Date

## THE COURT ORDERS

- ☐ No Action  
☐ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.  
☐ Other

W. Nielson  
Signature of Judicial Officer

April 17 2006  
Date

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF WASHINGTON  
PROBATION OFFICE

SCOTT M. MORSE, SR.

CHIEF PROBATION OFFICER  
U.S. COURTHOUSE  
920 W. Riverside, Room 540  
PO BOX 306  
SPOKANE, WA 99210-0306  
(509) 353-3240 / fax (509) 353-3246

April 14, 2006

RECEIVED  
DISTRICT JUDGE

APR 17 2006

U.S. DISTRICT COURT  
WM. FREMMING NIELSEN

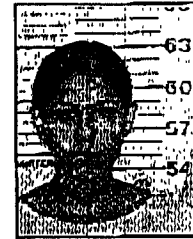
**BRANCH OFFICES**

FEDERAL BUILDING  
25 S. 3<sup>rd</sup> Street, Room 326  
PO BOX 1791  
YAKIMA, WA 98907-1791  
(509) 575-5842 / fax (509) 454-5782

FEDERAL BUILDING  
825 Jadwin Ave, Suite 170  
RICHLAND, WA 99352  
(509) 376-7467 / fax (509) 372-2590

REPLY TO Richland

The Honorable Wm. Fremming Nielsen  
Senior U.S. District Judge  
P.O. Box 2208  
Spokane, WA 99210



**RE: Lopez, Leticia N**  
**Dkt. No. 2:04CR06023-001**  
**Custody Status: Continues Under Supervision**  
**Violation Report #2**

Dear Judge Nielsen:

Attached for the Court's review is a petition for supervised release action on the above-captioned defendant. The circumstances of the alleged noncompliant behavior are reported therein.

**Compliance with Supervision Conditions:**

On March 14, 2006, a violation report was submitted to the Court alleging the defendant had violated her period of supervised release by possessing a controlled substance, methamphetamine, testing positive for the presence of methamphetamine on two occasions, failing to provide a urine sample as directed, possessing drug paraphernalia, and associating with convicted felons.

On March 28, 2006, the defendant made her initial appearance before Judge Leavitt and was directed to report before Your Honor on April 6, 2006.

On April 6, 2006, the defendant checked out of Casita Del Rio, a local drug treatment facility, and was supposed to appear in court. The defendant attempted to make two unapproved stops prior to her reporting for court. The defendant first stopped at her grandmothers to pick up some money. She then stopped off at 1005 Perkins in Richland, where she was arrested on the residential burglary charge after allegedly breaking into the

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home. The defendant failed to report before Your Honor as she was being detained by the Richland Police Department for questioning. The defendant now has two pending felonies in Benton County Superior Court.

**Offender Characteristics:**

The defendant continues in treatment at Casita Del Rio at this time.

**Statutory and Guideline Provisions:**

If revoked, the following options are available for sentencing:

Original Criminal History Category: I

Grade of Violation: B

Class of Offense: Class B Felony

	<b><u>Statutory Provisions</u></b>	<b><u>Guideline Provisions</u></b>
CUSTODY:	36 months	4-10 months
SUPERVISED RELEASE:	60 months minus custody imposed	60 months minus custody imposed

It is respectfully recommended that the Court incorporate the violation(s) contained in this petition in all future proceedings with the violation(s) previously reported to the Court.

Respectfully submitted,

Scott M. Morse, Sr.  
Chief U. S. Probation Officer

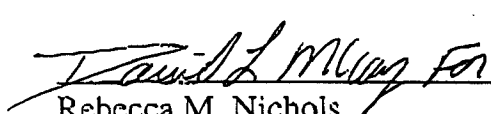
By: David L. McCary 4/14/06  
David L. McCary Date  
U. S. Probation Officer

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APPROVED BY:

 4/14/06  
Rebecca M. Nichols Date  
Supervising U.S. Probation Officer

DLM:dlm

c: AUSA Robert A. Ellis  
Fed. Def. Alex B. Hernandez, III